



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/658,789 Confirmation No. 1824  
Applicant : Timothy Jon Leeper *et al.*  
Filed : September 10, 2003  
TC/A.U. : 1654  
Examiner : Not yet assigned  
Docket No. : ANIC.108193  
Customer No. : 30902

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

Dear Sir:

In complete response to the Notice to File Missing Parts of Application Under  
37 C.F.R. § 1.53(f) dated December 3, 2003, attached please find:

- ☒ A combined Declaration and Power of Attorney signed by the inventors and the surcharge of \$65.00 as set forth in 37 C.F.R. § 1.16(e).
- ☒ A Petition for a Five Month Extension of Time and the requisite fee
- ☒ A Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b).

In addition, the Notice indicates that replacement drawings in compliance with 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121 are required. The Notice indicates that the drawings submitted were not acceptable because the drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks, specifically Figures 1A, 1C, and 1E. Withdrawal of this requirement is respectfully requested because each figure, as originally filed, is in compliance with 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121. A copy of Figures 1A, 1C, and 1E as originally filed are attached.

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	43 - 20 =	23	x \$18.00	\$414.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$86.00	\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$0
			BASIC FEE (Small Entity)	\$770.00
			TOTAL OF ABOVE CALCULATIONS =	\$1,184.00
SURCHARGE FOR FILING MISSING PARTS				\$130.00
PETITION FOR A FIVE MONTH EXTENSION OF TIME				\$2,010.00
PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED PATENT APPL.				\$1,330.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				-\$2,327.00
			TOTAL =	\$2,327.00

☒ Charge \$2,327.00 to **Deposit Account No. 19-2112.**

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 19-2112.**

Respectfully submitted,

Dated: September 2, 2004

By: Scott D. Balderston  
Scott D. Balderston  
Reg. No. 35,436

SHOOK, HARDY & BACON, L.L.P.  
600 14th Street, N.W., Suite 800  
Washington, D.C. 20005-4211  
Telephone (202) 783-8400  
Facsimile (202) 783-4211

# FEE TRANSMITTAL FOR FY 2004

## Complete if Known

Application Number	10/658,789
Filing Date	September 10, 2003
First Named Inventor	Timothy Jon LEEPER et al.
Examiner Name	Not yet assigned
Group Art Unit	1654
Attorney Docket No.	ANIC.108193

TOTAL AMOUNT OF PAYMENT

\$2,327.00

Patent fees are subject to annual revision.

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

19-2112

Deposit  
Account  
Name

Shook, Hardy &amp; Bacon LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	\$385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) \$385.00

#### 2. EXTRA CLAIM FEES

Total Claims	43	- 20** =	23	x	Fee from below \$9	=	Fee Paid \$207.00
Independent Claims	3	- 3** =	0	x <td>\$43</td> <td>= <td>\$0</td> </td>	\$43	= <td>\$0</td>	\$0

Multiple Dependent = \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claims, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$207.00

\*\* or number previously paid, if greater; For reissues, see above.

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	\$1,005
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	\$665
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	122	130	Petitions of the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$1,735.00

### SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott D. Balderston	Registration No. (Attorney/Agent)	35,436	Telephone	(202) 783-8400
Signature	Scott D. Balderston			Date	September 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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 UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/658,789	09/10/2003	Timothy Jon Leeper	ANIC.108193

CONFIRMATION NO. 1824

## FORMALITIES LETTER



\*OC000000011407865\*

 Justin L. Krieger  
 Shook, Hardy & Bacon LLP  
 Suite 800  
 600 14th Street, N.W.  
 Washington, DC 20005-2004

Date Mailed: 12/03/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/03/2004 00DIRETH1 00000060 192112 10658789

FILED UNDER 37 CFR 1.53(b)

 01 FC:2001 385.00 DA  
 02 FC:2001 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1a, 1c, 1e.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$414** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1314** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$414**
  - **\$414** for **23** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

B. Habtewold  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE